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May 30, 2012

VIA ELECTRONIC FILING

The Honorable Jocelyn G. Boyd
Clerk

South Carolina Public Service Commission

Post Office Drawer 11649
Columbia, South Carolina 29211

RE: Application of Budget Prepay, Inc. d/b/a Budget Phone for Designation as a Non-Rural Wireless Eligible Telecommunications
Docket No. 2011-294-C, ELS File No. 1959-11775

Dear Jocelyn:

On May 25, 2012, the Federal Communications Commission ("FCC") approved Budget PrePay, Inc.'s ("Budget PrePay" or the "Company") Compliance Plan.¹ In its Compliance Plan filed with the FCC, Budget PrePay asked that the FCC forbear from applying the "own facilities" requirement contained in section 214(e)(1)(A) of the Communications Act, 47 C.F.R. § 214(e)(1)(A), consistent with the FCC's determination to forbear from applying the "own facilities" requirement to Low Income-only (e.g., Lifeline) ETC applications that comply with the conditions set forth in the FCC's *Lifeline Reform Order*.²

Because Budget PrePay has now been granted forbearance from the "own facilities" requirement of the Communications Act of 1934, as amended, in order to be eligible to participate in the Universal Service Fund's ("USF") Low Income program, any issues regarding Budget PrePay's eligibility for ETC designation in South Carolina based upon the Company's "own facilities" have now been rendered moot.

¹ See *Wireline Competition Bureau Approves the Compliance Plans of American Broadband & Telecommunications, Budget PrePay, Consumer Cellular, Global Connection, Terracom and Total Call*, FCC Public Notice, WC Docket Nos. 09-197 and 11-42, DA 12-828 (rel., May 25, 2012) (attached). Also attached is a copy of Budget PrePay's May 1, 2012 Compliance Plan approved by the FCC.

² See *In the Matter of Lifeline and Link Up Reform and Modernization*, Report and Order and Further Notice of Proposed Rulemaking, WC Docket No. 11-42, FCC 12-11 (rel. Feb. 6, 2012) ("*Lifeline Reform Order*").

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As a result, Budget PrePay respectfully requests the Commission continue its expeditious processing and approval of Budget PrePay's pending ETC application, filed on July 21, 2011,³ in order to allow the Company to be eligible to participate in the USF's Low Income program and provide the benefits of the USF Low Income program, in accordance with all applicable Commission rules, to qualified South Carolina residents.

Please do not hesitate to contact the undersigned with additional questions regarding the FCC's approval of Budget PrePay's Compliance Plan or pending ETC application.

Respectfully submitted,

s / John J. Pringle, Jr.
John J. Pringle, Jr.

Attachments (2)

cc: Nanette S. Edwards, Esq.
Katherine King, Esq.

³ See Application of Budget PrePay, Inc. for Designation as a Non-Rural Wireless Eligible Telecommunications Carrier, Docket No. 2011-294-C (filed July 21, 2011); *see also* Supplement to Budget PrePay, Inc.'s Application for Designation as a Non-Rural Wireless Eligible Telecommunications Carrier, Docket No. 2011-294-C (filed Mar. 20, 2012).

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2011-294-C

In the Matter of the Application of)
Budget Prepay, Inc. d/b/a Budget Phone)
for Designation as a Non-Rural Wireless)
Eligible Telecommunications Carrier)

CERTIFICATE OF SERVICE

This is to certify that I have caused to be served this day, one (1) copy of the **May 30, 2012 Letter to the Honorable Jocelyn G. Boyd** by placing a copy of same in the care and custody of the United States Postal Service (unless otherwise specified), with proper first-class postage affixed hereto and addressed as follows:

VIA ELECTRONIC MAIL SERVICE

Nanette S. Edwards, Esq.
Office of Regulatory Staff
Legal Department
PO Box 11263
Columbia SC 29211

s/ Carol Roof
Carol Roof, Paralegal

May 30, 2012
Columbia, South Carolina